

Notice of Allowability

Application No.

10/749,534

Examiner

Perez M. Angelica

Applicant(s)

ZHANG ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/22/2007.
2. ☒ The allowed claim(s) is/are 1,2,6-9,12,14-24,28 and 29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Donald C. Kordich (Reg. No.: 38,213) on 8/29/2007.

The application has been amended as follows:

In the Drawings:

In figure 3, item 302, it should read –Flow- instead of “Fow”. The applicant has submitted a new sheet showing the changes. See attached sheet.

(End of Amendment)

NOTE: the above amendment has been made in order to place the claims on condition for allowance.

Drawings

1. The drawings were received on 08/31/2007. These drawings are acceptable. The Applicant presented a new sheet comprising corrections to the drawings on figure 3, item 302, suggested by the examiner. The corrections substitute the word “Fow” with –Flow-. The examiner examined the submitted corrected sheet and approved it.

Please, if required, enter the corrected sheet attached.

Allowable Subject Matter

2. Claims 1-2, 6-9, 12, 14-24, 28 and 29 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art of record teaches of an apparatus for a wireless communication system, comprising: means for determining available resources in the wireless communication system; means for determining a threshold based on a time slot utilization by flows and priority violations in real time for existing flows; means for admitting a new flow only if the total time slot utilization is below the threshold.

The prior art of record fails to teach of means for determining a threshold for **admitting a new AF flow based on the sum of an actual time fraction of each AF flow, scaled by a ratio of a required minimum rate and a measured throughput of the new AF flow an admission of a flow.**

Regarding claim 9, the prior art of record teaches of a method for information transfer, comprising: determining a threshold based on a time slot utilization by flows and priority violations in real time for existing flows; monitoring the time slot utilization; monitoring the priority violations; and admitting a new flow only if the total time slot utilization is below the threshold.

The prior art of record fails to teach of **determining a new AF flow threshold for admitting a new AF flow based on the sum of an actual time fraction of each AF flow, scaled by a ratio of a required minimum rate and a measured throughput of the new AF flow.**

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Regarding claim 28, the prior art of record teaches of a computer-readable storage medium containing a set of instructions for a processor having an interface with other elements of an information transfer system, the set of instructions comprising: determining a threshold based on a time slot utilization by flows and priority violations in real time for existing flows; monitoring the time slot utilization; monitoring the priority violations; and admitting a new flow only if the total time slot utilization is below the threshold.

The prior art of record fails to teach of **determining a required time fraction for existing AF flows by adding an actual time fraction of each AF flow, scaled by a ratio of a required minimum rate and a measured throughput of the new AF flow; and admitting a new AF flow when the sum of a required time fraction of the new AF flow with the required time fraction for existing AF flows is less than a QoS threshold.**

Regarding claim 29, the prior art of record teaches of an apparatus for a wireless communication system, comprising: a computer readable memory device for containing a priority; means for determining available resources in the wireless communication system; means for determining a threshold based on a time slot utilization by flows and priority violations in real time for existing flows; means for determining an admission of a new flow only if the total time slot utilization is below the threshold.

The prior art of record fails to teach of **means for determining a new AF flow threshold for admitting a new AF flow based on the sum of an actual time fraction**

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of each AF flow, scaled by a ratio of a required minimum rate and a measured throughput of the new AF flow.

4. Claims 2, 6-8 and 12, 14-24, 26 depend on claims 1 and 9, respectively; therefore, they are allowed for the same reasons as set forth above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 1:30 p.m., Monday - Friday.

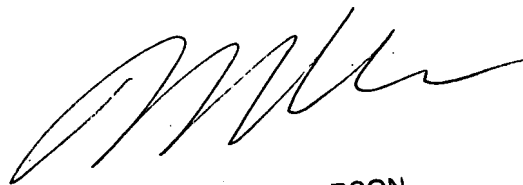
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

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Angelica Perez
Examiner

A handwritten signature in black ink, appearing to read 'Matthew Anderson', written in a cursive style.

MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER

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August 20, 2007

Replacement Sheet

FIG. 3

